

**Development Management**

101-A Mounts Bay Road

P.O. Box 8784

Williamsburg, VA 23187-8784

P: 757-253-6671

F: 757-253-6822

development.management@jamecitycountyva.gov

jamecitycountyva.gov**Building Safety and Permits**

757-253-6620

Engineering and Resource Protection

757-253-6670

Planning

757-253-6685

Zoning Enforcement

757-253-6671

September 4, 2014

Mr. Gary Werner, President
Franciscus Homes Inc.
616 Village Drive, Suite G
Virginia Beach, Virginia 23454

RE: Z-0003-2014/MP-0003-2014, The Promenade at John Tyler

Dear Mr. Werner:

Staff is aware of your continued efforts to work through negotiations with VDOT in regards with Kings Way and Road A as well as your intention to conduct community meetings. The culmination of these efforts will likely require changes to the proffer document as well as other documentation. With the understanding that modifications will be made, staff has reviewed the materials and offers preliminary comments seen below.

Also, staff has received verbal confirmation that other revised materials such as a community impact statement, traffic study, fiscal impact analysis, master plan exhibit and water/sewer impact study will be provided. Consistency in these materials and a reflection of the entirety of the proposed development is imperative moving forward. Should you intend on advertising this case for the October 1, 2014, Planning Commission meeting staff requests the submission of all supporting documentation no later than September 9, 2014. Staff must conduct a thorough review of the materials in advance of the public hearing and the compilation of staff reports. Staff has duplicated several comments made in the letter dated June 12, 2014, to ensure effective communication of expectations regarding corrections or additional information required.

Planning Proffer Comments:

1. Please proffer master plan consistency, consistent with the MU, Mixed Use designation requirements. Please include the following information: maximum number of dwelling units and density for residential areas; maximum square feet of floor space for commercial, office or industrial areas; maximum square feet of floor space and percentage mix of floor space of each use for those structures containing a mixture of uses; and maximum acreage of each use.
2. Please include the price points of all proposed units associated with this development within the required proffer documentation, the Fiscal Impact Study and Community Impact Statement. This information will be used to confirm the four density points required to achieve the 8.3 dwelling units per acre. Also, please provide more information regarding ownership of all units. Units sold out-right verses rental have different proffer considerations.
3. Thank you for providing the illustrative exhibits of the ten-plex and duplex units; however, additional materials are required to bring this submission into compliance with the adopted policy regarding

Supplemental Submittal Requirements for Special Use Permits and Rezoning. Please consider providing illustrative drawings of the commercial buildings and the proposed clubhouse as well as perspective drawings of the development from Route 199.

4. Staff recommends expanding proffer #8 to include design guidelines for the whole development. Staff recommends adding language requiring submittal and Planning Director's approval of design review guidelines prior to final approval of any development plans. The current proffer language requires architectural consistency. Staff would recommend drafting more language and creating design review criteria to include uniform architectural design and color scheme, varied roof lines, wall articulations and treatment of the front façade of those commercial buildings facing residential units. Please include language binding consistency with the architectural styles embodied in the elevations provided.
5. Proffered cash contributions, archaeology, architectural guidelines, ect. should be tied to site plan approval, not land disturbing or building permit issuance or certificates of occupancy.
6. Staff notes the proffered commitment of \$401.03 for each dwelling unit constructed for parks and recreation purposes. Please note cash proffers can be offered in lieu of the following required facilities: biking/jogging trails, a playground, a sport court or pool (a minimum length of 25 meters) and a multi-use field. Please provide more information regarding how you intend to apply the cash-in-lieu amounts. Staff notes the welcome parks, the pocket park and central park shown on the exhibits, please provide more information regarding how these features, including facilities required with Parks and Recreation Facilities and including the allotment of park space, meets the minimum requirements for park lands. Also, please provide more information on the "overlook" and "public square" features seen on the conceptual site plan drawing.
7. Please consider proffering landscape design guidelines using the standards outlined in the Urban/Suburban Community Character Corridor Buffer Treatment Guidelines. Route 199 is a Community Character Corridor and should meet the requirements outlined in the adopted CCC Buffer Treatment Guidelines for enhanced landscaping. Staff notes, the master plan exhibit does not include any landscaping features along Route 199. Per the policy please forward additional informal drawings showing your intentions for this area. Staff has provided guidance documentation on the Enhanced Landscaping Policy. The intent of the Enhanced Landscaping Policy is to provide more flexibility to landscape designers to create landscape designs that both exceed minimum ordinance requirements and that create a context sensitive plan that is responsive to the goals, strategies and actions of the County's adopted Comprehensive Plan. Please provide basic design guidelines that would state the overall design themes and intent, thereby aiding the Planning Director in reviewing the final building elevations, and making more clear the intended landscaping, pedestrian features, ect.
8. Please revise statement #5: "If the inventory confirms that a natural heritage resource exists or could be supported by a portion of the site, a conservation management plan shall be submitted to and approved by the Engineering and Resource Protection Division *and to the* Director of Planning for the affected area."
9. Please correct all references to Housing Opportunity to Housing Opportunities and the Housing Opportunities Policy.

General:

1. *Design Elements.* Staff encourages the applicant to approach the master plan by including broader-reaching and stronger design elements to unify the overall mixed use area, including:
 - Identified pedestrian connections down Kings Way, along the road in front of Riverside Medical and a pedestrian connection to tie directly into the shopping center sidewalks one on Main Street and one at Shopping Center Drive. Staff previously included a map to better

illustrate these locations. Please note staff may show an area where a sidewalk exists, please verify those locations.

- Provision for traffic calming measures along Road A to create a boulevard feel and to slow incoming traffic.

Incorporating some of these design principles into the current proposal is necessary and will enhance the mixed use design and consistency with the Comprehensive Plan designation. Please inform staff on your intentions regarding the suggested pedestrian accommodations and traffic calming measures.

2. Based on staff's analysis, the traffic calculations provided did not reflect the cumulative traffic counts of the existing and proposed development. Please ensure revised calculations include the existing and proposed commercial and existing and all proposed dwelling units. During conceptual review of this application, staff determined that the traffic study should focus on the intersection of John Tyler Highway and Kings Way, as well as along the John Tyler Corridor down to Cooley Road, and with the Rt. 199 corridor intersections down to and including Jamestown Road. The forwarded traffic study did not extend to Cooley Road or Jamestown Road. Please update accordingly.
3. In previous meetings it was mentioned that a fence would be placed along the boundary line shared with Winston Terrace. It appears in lieu of a fence, the intention is to provide an enhanced landscape buffer. Please provide staff with more information regarding the treatment of this shared boundary line.
4. Units 11 and 12 contain frontage on the existing shopping center. The shop currently occupied by 7 Cities becomes a prominently visible feature with the proposed residential layout. Please provide additional details regarding how this building elevation will be treated to help transition into the proposed units. Otherwise staff would advise using a fence or landscape buffering to provide appropriate screening.
5. As noted above, careful consideration should be taken of the commercial buildings fronting Shopping Center Drive due to proximity to units nine, ten and 40. Please provide additional details to include a build-to line so staff can better evaluate the street scape.
6. Staff notes that the median along Main Street offers landscaping until reaching the northern entrance. Please consider adding additional plantings to the median here to enhance the entrance.
7. Please note, names of proposed streets or subdivisions shall not duplicate, irrespective of suffixes, or be similar in sound or spelling to existing street or subdivision names in James City County, the City of Williamsburg, or the northern portions of York County, and the southern portions of New Kent County which may be served by the Williamsburg/James City County Post Office, by common zip code or by interjurisdictional emergency services. Staff notes there is an existing Main Street in New Town. Please name the entrance road differently.
8. On the master plan exhibit, please correct the proposed zoning to MU, Mixed Use, with proffers.
9. On the master plan exhibit, please correct the vicinity map to include all areas in the proposal. The project site should include the outparcels along Route 199. Also, please correct the adjacent locality to the City of Williamsburg.
10. Please provide more information regarding any intended signage for the subdivision. The provisions for residential subdivisions signs can be found in Section 24-69.
11. Please correct information regarding the elementary school serving students in this area within the Fiscal Impact study. It is listed as Clara Byrd Baker within the study.

Proffer Administrator:

Proffer 2 – Housing Opportunities

- Please add the following language:
....Owner shall submit an annual report for each year of the required 30 year term to the County Director of Planning on or before January 30th of the current year identifying the location of the units and rental rates charged...Other language may be required should the applicant confirm their intentions to have rental units.
- Please add a sentence that directs the owner to provide copies of the settlement statements for each of the for-sale affordable units to the Director of Planning.

Proffer 4 –

- Staff recommends changing the Nutrient Management Plan timing trigger to “prior to the issuance of the fiftieth (50th) certificate of occupancy to allow appropriate site work to be completed to better development of the Nutrient Management Plan.

VDOT: Comments are outstanding.

Fire: No comments on the proffers provided.

Parks and Recreation: Comments are outstanding and will be forwarded upon receipt.

JCSA: Plans have been reviewed for general compliance with the JCSA Standards and Specifications, Water Distribution and Sanitary Sewer Systems and has no comments on the proffers provided.

Feel free to contact me should you have any questions or concerns at 253-6882.

Sincerely,



Jennifer VanDyke
Planner

Cc: Vernon M. Geddy, III